



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Re application of: James E. Holley, Jr.

Application No.: 10/758,573

Art Unit.: 3727

Filing Date: 01/13/2004

Examiner: Sue A. Weaver

For: "Flow Control Element Including Elastic Membrane With Pinholes"

Atty. Dkt. No.: UMX-011-1P

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Date: November 12, 2004

**AMENDMENT TRANSMITTAL**

1. Transmitted herewith is an amendment for this application.
2. **STATUS:** Applicant is a small entity.
3. **EXTENSION OF TERM:** The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.
4. **FEE FOR CLAIMS:** The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

	(Col. 1)		(Col. 2)		(Col. 3)	SMALL ENTITY	
	Claims Remaining After Amendment		Highest No. Previously Paid For		Present Extra	Rate	Addit. Fee
Total	20	Minus	20	= 0		x \$9 =	\$0
Indep.	4	Minus	3	= 1		x \$44 =	\$44
First Presentation of Multiple Dependent Claim						+ \$150 =	\$0
Total						Addit. Fee	\$44

5. **FEE PAYMENT and DEFICIENCY:** Please charge Deposit Acct. 50-0574 the amount of \$44.00 for additional claims. If any additional extension and/or fee is required, also charge Account No. 50-0574.

**SIGNATURE OF PRACTITIONER**

Patrick T. Bever

Reg. No. 33,834

Customer No. 022888  
Tel.: (408) 451-5902

I hereby certify that this correspondence is being deposited with the United States Postal Service as FIRST CLASS MAIL in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on November 12, 2004.

11/12/2004  
Date  
Signature: Rebecca A. Baumann

UMX-011-1P US  
10/758,573



PATENT -

1FW \$

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: James W. Holley, Jr.  
Assignee: Insta-mix Inc. Subsidiary A (DBA Umix, Inc.)  
Title: FLOW CONTROL ELEMENT INCLUDING ELASTIC MEMBRANE  
WITH PINHOLES  
Serial No. 10/758,573 File Date: January 13, 2004  
Examiner: S. Weaver Art Unit: 3727  
Docket No.: UMX-011-1P US

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November 12, 2004

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RESPONSE TO FIRST OFFICE ACTION

Dear Sir:

This paper is responsive to the Office Action mailed from the Patent and Trademark Office on August 11, 2004, which has a shortened statutory period set to expire November 11, 2004.

11/17/2004 EHAILE1 00000009 500574 10758573

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